

Exhibit A

**WILMER CUTLER PICKERING
HALE AND DORR ^{LLP}**

August 6, 2004

By Facsimile and First Class Mail

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Vinita Ferrera

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Re: **The Procter & Gamble Co. v. The Coca-Cola Co.**
Civ.A.No 02-393 (S.D. Ohio)

Dear Robert:

I am writing concerning the Court's recent notice order indicating that P&G's motion to amend seeking leave to file a Second Amended Complaint was allowed on September 5, 2003.

As Coca-Cola knows, the Second Amended Complaint added an allegation that Coca-Cola willfully infringed U.S. Patent No. 4,722,847 (the "'847 patent") and clarified the identity of the accused products. Given the Court's recent order, P&G requests that Coca-Cola answer and supplement P&G's numerous longstanding discovery requests on these subjects.

In particular, with respect to the willful infringement allegation, we expect that Coca-Cola will produce all additional documents in its possession, custody, or control that are directed to that allegation, including but not limited to P&G's Document Requests No. 8-10. More specifically, we request, once again, that Coca-Cola produce the written opinion it received in September 1988 concerning the '847 patent that it previously withheld on the grounds of privilege. Coca-Cola must also supplement its responses to P&G's Interrogatories (such as Nos. 5 & 14) on this issue.

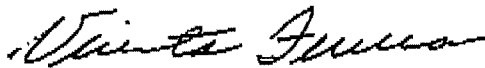
In addition, we assume that Coca-Cola will supplement its document production and responses to P&G's interrogatories with respect to the accused products for which it previously refused to produce information on the erroneous ground that those products were not part of the case.

Please let me know as soon as possible when Coca-Cola will provide this information that P&G requested long ago. P&G needs these materials to, among other reasons, decide whether to

Robert L. Burns, Esq.
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conduct additional discovery, including reopening of the depositions of Mr. Lee, Mr. Haydu, and possibly others, taking a 30(b)(6) deposition on willfulness, and supplementing its expert reports.

Very truly yours,



Vinita Ferrera

VF:bms

**WILMER CUTLER PICKERING
HALE AND DORR^{LLP}**

August 6, 2004

By Facsimile and First Class Mail

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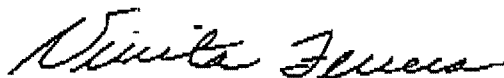
Re: **The Procter & Gamble Co. v. The Coca-Cola Co.**
Civ.A.No. 02-1-393 (S.D. Ohio)

Dear James:

I am writing concerning a subpoena for documents and a deposition that we served on Kenyon & Kenyon on September 23, 2003. I have attached a copy of the subpoena for your reference. At the time we served the subpoena, the Court had not ruled on P&G's motion to amend the pleadings to file a Second Amended Complaint. According to your September 25, 2003 letter, you declined to respond to the subpoena unless and until the Court ruled in P&G's favor.

As you may know, the Court has now granted P&G's motion to amend the pleadings and allowed P&G's Second Amended Complaint. Please inform me as soon as possible when Kenyon & Kenyon will produce the documents that P&G requested and make a witness available for a deposition.

Very truly yours,



Vinita Ferrera

VF:bms

cc: Robert Burns, Esq.